

Joyce Weaver Johnson  
Assistant Municipal Attorney  
Municipal Attorney's Office  
P.O. Box 196650  
Anchorage, Alaska 99519-6650  
Phone: (907) 343-4545  
Fax: (907) 343-4550  
E-mail: uslit@muni.org

Attorney for Defendants  
Municipality of Anchorage  
Anchorage Police Department  
Walt Monegan

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ALASKA

CAROLYN MITCHELL,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
ANCHORAGE POLICE DEPARTMENT and	)	
the MUNICIPALITY OF ANCHORAGE, a	)	
municipal corporation, WALTER MONEGAN,	)	
Officer JOHN DOE 1, and Officer JOHN DOE 2	)	
	)	
Defendants.	)	Case No. 3:05-cv-00273-JWS
	)	

---

**SCHEDULING AND PLANNING CONFERENCE REPORT**

1. **Meeting.** In accordance with F.R.Civ.P. 26(f), a meeting was held on March 14, 2006, and was attended by:

Isaac D. Zorea, co-counsel for the plaintiff

Joyce Weaver Johnson, attorney for defendants Municipality of Anchorage, Anchorage Police Department and Walt Monegan

The parties recommend the following:

2. **Pre-Discovery Disclosures.** The information required by F.R.Civ.P. 26(a)(1):

\_\_\_ have been exchanged by the parties

x will be exchanged by the parties by March 20, 2006

Proposed changes to disclosure requirements: (insert proposed changes, if any)

**Preliminary witness lists**

\_\_\_ have been exchanged by the parties

x will be exchanged by the parties by July 20, 2006 and will include categories of experts the parties have retained or anticipate retaining.

3. **Contested Issues of Fact and Law.** Preliminarily, the parties expect the

following issues of fact and/or law to be presented to the court at trial in this matter:

Defamation of character, false arrest, liability, damages, discretionary immunity, qualified immunity, justification, intentional infliction of emotional distress, civil rights.

4. **Discovery Plan.** The parties jointly propose to the court the following discovery plan.

A. Discovery will be needed on the following issues:

See (3) above.

B. All discovery commenced in time to be completed by November 1, 2006

("discovery close date").

C. Limitations on Discovery.

1. Interrogatories.

x No change from F.R.Civ.P. 33(a)

\_\_\_ Maximum of (number) by each party to any other party.

Responses due in (number) days.

2. Request for Admissions.

☒ No change from F.R.Civ.P. 36(a)

☐ Maximum of (number) requests.

Responses due in (number) days.

3. Depositions.

☒ No change from F.R.Civ.P. 30.1.

☐ Maximum of (number) depositions by each party.

Depositions not to exceed (number) hours unless agreed to by all parties.

D. Reports from retained experts.

☐ Not later than 90 days before the close of discovery subject to F.R.Civ.P. 26(a)(2)(C).

☒ Reports due:

From plaintiff September 1, 2006      From defendant September 1, 2006

E. Supplementation of disclosures and discovery responses are to be made:

☐ Periodically at 60-day intervals from the entry of scheduling and planning order.

☒ As new information is acquired, but not later than 60 days before the close of discovery.

F. A final witness list, disclosing all lay and expert witnesses whom a party may wish to call at trial, will be due:

☐ 45 days prior to the close of discovery.

☒ Not later than September 15, 2006

5. **Pretrial Motions.**

☒ No change from D.Ak.LR.16.1(c).

The following changes to D.Ak. LR 16.1(c). [Check and complete all that apply]

☐ Motions to amend pleadings or add parties to be filed not later than (date).

\_\_\_ Motions under the discovery rules must be filed not later than (date).

\_\_\_ Motions in limine and dispositive motions must be filed not later than (date).

**6. Other Provisions:**

A. ☒ The parties do not request a conference with the court before entry of the scheduling order.

\_\_\_ The parties request a scheduling conference with the court on the following issue(s):

(Insert issues on which a conference is requested)

B. Alternative Dispute Resolution. [D.Ak.LR 16.2]

\_\_\_ This matter is not considered a candidate for court-annexed alternative dispute resolution.

☒ The parties will file a request for alternative dispute resolution not later than September 18, 2006.

\_\_\_ Mediation

\_\_\_ Early Neutral Evaluation

C. The parties \_\_\_ do ☒ not consent to trial before a magistrate judge.

D. Compliance with the Disclosure Requirements of F.R.Civ.P.7.1

\_\_\_ All parties have complied ☒ Compliance not required by any party.

**7. Trial.**

A. The matter will be ready for trial:

☒ 75 days after the discovery close date.

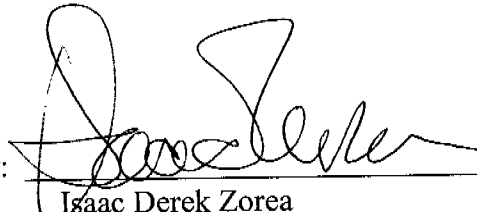
\_\_\_ not later than (date).

B. The matter is expected to take 7 days to try.

C. Jury Demanded: ☒ Yes \_\_\_ No

Right to jury trial disputed? \_\_\_ Yes ☒ No

Respectfully submitted this 21 day of March, 2006.

By:   
Isaac Derek Zorea  
Alaska Bar No. 0011090  
Co-Counsel for Carolyn Mitchell

Respectfully submitted this 22<sup>nd</sup> day of March, 2006.

FREDERICK H. BONESS  
Municipal Attorney

By: s/ Joyce Weaver Johnson  
Municipal Attorney's Office  
P.O. Box 196650  
Anchorage, Alaska 99519-6650  
Phone: (907) 343-4545  
Fax: (907) 343-4550  
E-mail: [uslit@muni.org](mailto:uslit@muni.org)  
Alaska Bar No. 9306029

The undersigned hereby certifies that on 03/22/06 a true and correct copy of the *Scheduling and Planning Conference Report* was served on:

**Isaac D. Zorea**  
P.O. Box 210434  
Anchorage, AK 99521

**Moshe C. Zorea**  
7540 E. 17th Avenue  
Anchorage, AK 99504

by first class regular mail, if noted above, or by electronic means through the ECF system as indicated on the Notice of Electronic Filing.

s/ Sheri Curro  
Sheri Curro, Legal Secretary  
Municipal Attorney's Office